



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/043,077 | 01/09/2002 | Kenneth E. Flick | 58090 | 6614 |
| 27975 | 7590 | 06/09/2005 | EXAMINER | |
| ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791 | | | YANG, CLARA I | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2635 | |

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,077

Applicant(s)

FLICK, KENNETH E.

Examiner

Clara Yang

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2005.
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-23,30-46,48-52 and 54-67 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3-9,11-23,30-46,48-52 and 54-67 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 13 April 2005 have been fully considered but they are not persuasive as follows:

In response to applicant's argument on page 19 concerning claims 1 and 46 that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). In addition, motivation to modify the vehicle security system of Issa (US 5,945,936) as taught by Flick (US 6,011,460) is provided by Flick '460. Flick '460, as indicated in the previous rejection of claims 1, 18, and 46 (see previous office action mailed on 28 March 2005), clearly teaches that connecting vehicle devices to a data bus reduces (1) the amount of wiring, (2) wire routing problems, and (3) complications that may arise when troubleshooting the electrical system (see Flick, Col. 1, lines 65-67 and Col. 2, lines 1-3), which is a proper motivation for combining Issa and Flick '460. By modifying Issa's vehicle security system such that Issa's vehicle devices (e.g., siren 29, shock sensor 31, instant input 33, current sensor 35, light flash 37, LED 41, etc.) are connected to microcontroller 23 via a bus as taught by Flick '460, Issa's microcontroller 23 must communicate with siren 29 and/or LED 41 via the bus when Issa's microcontroller 23 causes siren 29 and/or LED 41 to provide notification that a new code has been learned (see Issa, Col. 5, lines 47-57 and Col. 6, lines 19-27). Thus, Issa and Flick '460 does teach the limitation of a controller

Art Unit: 2635

“communicating with the vehicle indicator via the vehicle data communications bus to cause the indication of whether at least one new uniquely coded transmitter has been learned.”

Regarding claim 18, the applicant argues on page 20 that “the Examiner has failed to provide a proper motivation as to why one skilled in the art would do such in view of the three cited references.” Though Flick ‘571 suggests using the programmable security system for buildings instead of vehicles, the basic purpose and components of building and vehicle security system are similar and both types of security systems are analogous art. (See MPEP §904.01(c), which states that the determination of analogous arts “depends upon the necessary essential function or utility of the subject matter covered by the claims, and not upon what it is called by the applicant. For example, for search purposes, a tea mixer and a concrete mixer may both be regarded as relating to the mixing art, this being the necessary function of each [device]. Similarly a brick-cutting machine and a biscuit cutting machine may be considered as having the same necessary function.”) Regarding the motivation to combine the Issa patent and the Flick ‘460 patent, the examiner did indicate on page 5 of the previous office action mailed on 28 March 2005 that Flick ‘460 provides motivation (see Col. 1, lines 65-67 and Col. 2, lines 1-3) to modify Issa’s vehicle security system such that the vehicle devices are connected microcontroller 23 via a data bus (“... it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the vehicle security system of Issa as taught by Flick because connecting vehicle devices directly to a data bus that extends throughout a vehicle reduces (1) the amount of wiring, (2) wire routing problems, and (3) complications that may arise when troubleshooting the electrical ...”). Regarding the motivation to combine the Issa patent, the Flick ‘460 patent, and the Flick ‘571 patent, the examiner indicated on page 8 of the office action that Flick ‘571 teaches that “having a control

Art Unit: 2635

module 30 that is able to cause the various indications listed above (1) ensures a user that only the coded remote transmitters under his/her control may operate the vehicle security system, (2) prevents unauthorized remote transmitters from being surreptitiously learned by control module 30, and (3) enables a user to determine how recently the learn mode or transmitter change has occurred so that the user is able to correlate the change with someone's ability to access the system (see Flick '571, Col. 5, lines 26-30 and Col. 7, lines 43-47)", which is proper motivation for combining Flick '571 with Issa and Flick '460.

On page 21, regarding claims 30 and 57, the applicant argues "the Examiner incorrectly asserts that the control unit indicates that a new fingerprint has been learned by asking for confirmation of the enrollee via a display unit 41." The applicant further states, "The Anzai et al. patent merely records the fingerprint, step S91, and then asks for a confirmation at step S93...At this point in the enrollment mode, the fingerprint recorded is not learned. In other words, the authorization system of the Anzai et al. patent cannot use the fingerprint yet because the enrollment has not been accepted or learned yet." However, it is noted that the features upon which applicant relies (i.e., that a fingerprint is "learned" only if the authorization system can use the fingerprint for authorization) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). According to the 10th edition of *Merriam-Webster's Collegiate Dictionary*, the definition for "learn" is "memorize". Though Anzai teaches that a user must indicate to CPU 33 whether or not a recorded fingerprint is to be accepted (see Col. 7, lines 63-67), Anzai clearly discloses that the fingerprint is recorded or "memorized" when the system asks the user for a confirmation (see

Art Unit: 2635

Col. 7, lines 62-63). Thus, by asking a user for confirmation via display 41, Anzai's CPU 33 indicates that the fingerprint has been scanned and learned, as called for in claims 30 and 57.

For the reasons above, claims 1, 18, 30, 46, and 57 remain rejected under 35 USC 103(a).

2. Regarding claims 4 and 49, since the applicant did not traverse the examiner's assertion of official notice, the common knowledge or well known in the art statement is taken to be admitted prior art.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-9, 16, 46, and 48-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Issa (US 5,945,936) in view of Flick (US 6,011,460).

Referring to claims 1 and 46, Issa's vehicle security system, as shown in Figs. 1 and 2, comprises: (a) wireless transmitter 1 for transmitting a unique code word (see Col. 3, lines 60-62 and Col. 4, lines 4-18); (b) receiver 19 at the vehicle for receiving a unique code word (see 56-61); and (c) controller 23 cooperating with receiver 19 (see Col. 4, lines 58-65) and spaced apart from a plurality of vehicle devices including light emitting diode (LED) 41 (i.e., a vehicle indicator) and siren 29, wherein controller 23 (1) communicates with the vehicle devices (see Col. 5, lines 12-22), (2) switches to a learn mode in order to learn at least transmitter 1's unique code word to permit the user to control the vehicle (see Col. 5, lines 38-53), and (3) indicates when the learn mode and been entered and when the unique code word has been learned (see Col. 5, lines 53-

Art Unit: 2635

57; Col. 6, lines 19-21; and Col. 8, lines 21-32). Per Issa, controller 23 communicates with siren 29 and/or LED 41 in order to indicate to a user that at least one new unique code word has been learned (see Col. 5, lines 53-67 and Col. 6, lines 1-21). Issa, however, omits teaching that system 25 (see Fig. 2) has a data communications bus extending throughout the vehicle, that controller 23 and the vehicle devices are all connected to the data bus, and that controller 23 communicates with the vehicle devices via the data bus.

In an analogous art, Flick teaches a vehicle security system, see Figs. 1-3, comprising: (a) remote transmitter 50 (see Col. 5, lines 32-58); (b) transmitter and receiver 13 at the vehicle for receiving signals from remote transmitter 50 (see Col. 4, lines 51-54); (c) data communications bus 62 that extends throughout the vehicle (see Col. 5, lines 11-31 and Col. 6, lines 24-30 and 50-58); (d) a plurality of vehicle devices (e.g., vehicle security sensor 60, alarm indicator 64, other control nodes 66) connected to bus 62 (see Col. 6, lines 1-9 and 50-58); and (e) central processing unit (CPU) 65 and bus interface 65 that is spaced apart from the vehicle devices for communicating with the vehicle devices via bus 62 (see Col. 6, lines 18-23).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the vehicle security system of Issa as taught by Flick because connecting vehicle devices directly to a data bus that extends throughout a vehicle reduces (1) the amount of wiring, (2) wire routing problems, and (3) complications that may arise when troubleshooting the electrical system (see Flick, Col. 1, lines 65-67 and Col. 2, lines 1-3).

Regarding claims 3 and 48, Issa's controller 23 communicates with vehicle devices (see Col. 5, lines 12-22). As shown in Fig. 2, Issa's vehicle devices include: (a) LED 41 (i.e., a vehicle indicator or light), as called for in claims 3 and 48; and (b) siren 29 (i.e., a vehicle indicator or audible signal generator).

Regarding claims 4 and 49, Issa omits expressly teach that LED 41 is carried on the vehicle's instrument panel, as called for in claims 4 and 49. Nevertheless, vehicle indicators carried on a vehicle's instrument panel are taken to be admitted prior art since the applicant failed to traverse the examiner's assertion of official notice in the previous office action. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to Issa's system 25 such that LED 41 is carried on the instrument panel because an instrument panel is a conventional place to locate vehicle indicators, thus making it easy for a user to locate LED 41.

Regarding claims 5 and 50, Issa's controller 23 communicates with vehicle devices (see Col. 5, lines 12-22). As shown in Fig. 2, Issa's vehicle devices include a plurality of vehicle sensors, such as shock sensor 31, instant 33 (e.g., a door sensor), and current sensor 35 (see Col. 8, lines 5-12).

Regarding claims 6 and 51, as explained above in claims 3 and 48, Issa's controller 23 communicates with siren 29 (i.e., a vehicle alarm indicator) (see Col. 5, lines 12-22).

Regarding claims 7, 9, and 52, Issa's controller 23 communicates with vehicle door locks, seat adjustment mechanisms, windows, etc., which are controllable vehicle devices (see Col. 5, lines 19-22).

Regarding claim 8, Issa is silent on a controllable vehicle device that is associated with starting the vehicle's engine.

Flick's CPU 12 communicates with a plurality of vehicle devices, as shown in Fig. 9, including controllable vehicle devices such as engine starter 104 and ignition and fuel systems 106 (see Col. 8, lines 18-26).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Issa's system 25 as taught by Flick because a controller 23 that is able to communicate with a controllable vehicle device that is associated with starting the vehicle's engine provides a user the convenience of remotely starting or stopping the vehicle engine, thereby enabling a user to warm up the vehicle during extremely cold weather.

Regarding claim 16, Issa's vehicle security system, as shown in Fig. 1, comprise wireless transmitter 1 for transmitting a unique code word (see Col. 3, lines 60-62 and Col. 4, lines 4-18).

5. Claims 11-15, 18-23, and 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Issa (US 5,945,936) in view of Flick (US 6,011,460) as applied to claims 1 and 46 above, and further in view of Flick (US 5,986,571).

Regarding claims 11-15 and 54-56, Issa, as modified by Flick ('460), teaches that controller 23 has a switch that switches controller 23 into a learning mode (see Col. 5, lines 47-53) but is silent on controller 23 causing the following: (1) an indication of when the last learning mode was entered, as called for in claims 11 and 54; (2) an indication for progressively indicating a passage of time since the learning mode was last entered, as called for in claim 12; (3) an indication of the number of learned remote transmitters, as called for in claims 13 and 55; (4) an indication of a change in the number of learned remote transmitters, as called for in claims 14 and 56; and (5) an indication of a change in a code of at least one of the learned remote transmitters, as called for in claim 15.

In an analogous art, Flick '571 teaches a building security system 10, as shown in Fig. 3, comprising (a) remote transmitters 50 and (b) building security controller 11. Per Flick, building security controller 11 includes a transmitter and receiver 13 for receiving signals from remote transmitter 50 (see Col. 3, lines 46-50) and a central processing unit (CPU) 12 for

Art Unit: 2635

communicating with building sensor 20, alarm indicators 23, and system indicators 24 (see Figs. 1 and 3; Col. 3, lines 61-67; and Col. 4, lines 39-47). Flick's CPU 12 has a remote transmitter learning means 47 for learning a remote transmitter 50 that is to switch building security controller 11 between armed and disarmed modes (see Col. 4, lines 39-42). Flick discloses that system indicators 24 include lights, audible tone generators, etc. (see Col. 4, lines 8-10 and Col. 5, lines 21-34) and are actuated by CPU 12 for: (1) indicating that building security controller 11 has entered a learning mode (see Col. 4, lines 63-56); (2) indicating when the learning mode was last entered (see Col. 5, lines 1-3); (3) progressively indicating a passage of time since the learning mode was last entered (see Col. 5, lines 3-5); (4) indicating the number of learned remote transmitters (see Col. 5, lines 21-26 and 48-51); (5) indicating a change in the number of learned remote transmitters (see Col. 5, lines 51-53); and (6) indicating a change in a code of at least one of the learned remote transmitters (see Col. 5, lines 51-53).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify controller 23 of Issa and Flick '460 as taught by Flick '571 because having a controller 23 that is able to cause the various indications listed above (1) ensures a user that only the coded remote transmitters under his/her control may operate the vehicle security system, (2) prevents unauthorized remote transmitters from being surreptitiously learned by controller 23, and (3) enables a user to determine how recently the learn mode or transmitter change has occurred so that the user is able to correlate the change with someone's ability to access the system (see Flick '571, Col. 5, lines 26-30 and Col. 7, lines 43-47).

Referring to claim 18, Issa and Flick teach all the limitations of claim 18 as explained above in the rejection of claim 1 except controller 23 indicating of the number of learned remote

Art Unit: 2635

transmitters. However, as explained in claims 13 and 55, CPU 12 of Flick '571 indicates the number of learned remote transmitters (see Col. 5, lines 21-26 and 48-51).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify controller 23 of Issa and Flick '460 as taught by Flick '571 for the reasons previously disclosed in the rejection of claims 13 and 55.

Regarding claim 19, Issa teaches all the limitations as previously explained in the rejection of claim 3.

Regarding claim 20, Issa teaches all the limitations as previously explained in the rejection of claim 4.

Regarding claim 21, Issa teaches all the limitations as previously explained in the rejection of claim 5.

Regarding claim 22, Issa teaches all the limitations as previously explained in the rejection of claim 6.

Regarding claim 23, Issa teaches all the limitations as previously explained in the rejection of claim 7.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Issa (US 5,945,936) in view of Flick (US 6,011,460) as applied to claim above, and further in view of Lambropoulos (US 5,736,935).

Issa's vehicle door locking system, as modified by Flick '460, includes a wireless transmitter 1, not a transponder.

In an analogous art, Lambropoulos teaches a keyless vehicle entry and engine starting system that includes a portable transceiver A (see Fig. 1) and a vehicle transceiver C (see Fig. 2). As shown in Fig. 2, vehicle transceiver C includes a radio frequency (RF) detector 70 for

Art Unit: 2635

receiving transceiver A's coded signal (see Col. 6, lines 2-8) and microcomputer 80 for controlling vehicle devices, such as door lock motor 112, door unlock motor 114, and ignition start 115. Lambropoulos discloses that vehicle transceiver C has an RF oscillator 120 for transmitting an interrogation signal to transceiver A (see Col. 6, lines 65-67 and Col. 7, lines 1-15) and is able to learn the security codes of one or more transceivers A (see Col. 6, lines 21-47). Transceiver A responds to the interrogation signal by transmitting a reply to vehicle transceiver C (see Col. 5, lines 21-42); hence, transceiver A is a transponder.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Issa and Flick's security system as taught by Lambropoulos because a vehicle security system that includes a transponder that transmits its code when it receives an interrogation signal containing the proper interrogation code eliminates the need for manual operation of switches on a remote transmitter while maintaining a high level of security.

7. Claims 30-39, 42, 43, 45, and 57-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai (US 6,271,745) in view of Flick (US 6,011,460).

Referring to claims 30, 35, 45, 57, and 62, Anzai teaches a vehicle control system, as shown in Fig.1, comprising: (a) fingerprint sensors 11, 13, 15, and 39 for sensing a user's fingerprint (see Fig. 9, steps S89 and S91; and Col. 4, lines 24-28 and 44-45), as called for in claims 30, 45, and 57; (b) control unit 1 connected to sensors 11, 13, 15, and 39 (see Col. 4, lines 30-39), as called for in claims 30 and 57; and (c) a plurality of vehicle devices, such as dashboard unit 3, ignition switch status unit 5, lock unit 7, and engine immobilizer unit 9, as called for in claims 30 and 57. Per Anzai, control unit 1 performs the following steps: (1) communicates with the components of dashboard unit 3, ignition switch status unit 5, lock unit 7, and engine

Art Unit: 2635

immobilizer unit 9 (see Figs. 5-9; Col. 4, lines 40-45 and 56-67; Col. 5, lines 1-19; and Col. 6, lines 25-60), as called for in claims 30 and 57; (2) enrolls or learns fingerprints of various users (see Col. 6, lines 64-66), as called for in claims 30 and 57; and (3) indicates that a new fingerprint has been learned by asking for confirmation of the enrollee via display unit 41 (see Col. 7, lines 58-67), as called for in claims 30 and 57. Anzai's control unit 1 is spaced apart from the vehicle devices as shown in Fig. 1 as called for in claims 30 and 57. Anzai's vehicle control system, though, lacks (1) a data bus extending throughout the vehicle, wherein the data bus connects control unit 1 to the vehicle devices, as required in claims 30 and 57, and (2) a vehicle alarm indicator, as required in claims 35 and 62.

In an analogous art, as previously explained in the rejections of claims 1, 18, and 46, Flick discloses that (1) data communications bus 62 extends throughout the vehicle (see Col. 5, lines 11-31 and Col. 6, lines 24-30 and 50-58) and that (2) vehicle security sensor 60, alarm indicator 64, and other control nodes 66 are connected to data bus 62 (see Col. 6, lines 1-9 and 50-58 and Col. 7, lines 59 - 67).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the vehicle security system of Anzai as taught by Flick because connecting vehicle devices directly to a data bus that extends throughout a vehicle reduces (1) the amount of wiring, (2) wire routing problems, and (3) complications that may arise when troubleshooting the electrical system (see Flick, Col. 1, lines 65-67 and Col. 2, lines 1-3). Furthermore, a vehicle alarm indicator thwarts theft by actuating the a siren and headlights when unauthorized access is detected (see Flick, Col. 7, lines 59-67), thereby enhancing vehicle security

Art Unit: 2635

Regarding claims 31, 32, 58, and 59, Anzai's dashboard unit 3 has a display unit 41 (i.e., "vehicle indicator") that is used by control unit 1 to indicate that a fingerprint has been scanned and recorded by prompting the owner for confirmation of an enrollee (see Col. 7, lines 62-67).

Regarding claims 33 and 60, Anzai's display unit 41 is within dashboard unit 3, which is an instrument panel (see Fig.3 and Col. 4, lines 40-50).

Regarding claims 34 and 61, Anzai discloses that control unit 1 communicates with ignition switch status unit 5, which includes sensors 49, 51, and 53 (see Col. 4, lines 56-67), and lock unit 7, which includes sensor 67 (see Col. 5, lines 1-2 and 9-10).

Regarding claims 36 - 38 and 63, as explained above in Claims 1 and 57, Anzai teaches that control unit 1 communicates with controllable vehicle devices (as called for in claims 36 and 63), such as lock unit 7 (as called for in claims 38 and 63) and engine immobilizer unit 9 (as called for in claim 37).

Regarding claims 39 and 64, Anzai teaches that a user is able to place control unit 1 in various modes via switches 43a and 43b on dashboard unit 3 (see Col. 6, lines 61-67 and Col. 7, lines 1-4). When a user selects the menu mode, control unit 1 enables the user to enroll additional users, view or deleted enrollees, and set up the system (see Fig. 4). When a user selects the enroll mode (see Fig. 8, steps S55 and S57), the display changes and prompts the user for the category of authorization (i.e., owner, driver, and non-drive) (see Col. 7, lines 42-45); hence the display of authorization categories is an indication that the learning mode has been entered.

Regarding claims 42, 43, 65, and 66, per Anzai, when the view/delete mode is selected via dashboard unit 3, display unit 41 provides a list of the initials and category of authorization for each enrollee (see Col. 8, lines 1-7); as shown at step S101 in Fig. 10, the record for the eighth

Art Unit: 2635

enrollee of the twelve enrollees is displayed (as called for in claims 42 and 65). Consequently, each time an enrollee is added or deleted, the list indicates the change in the number of learned individuals (as called for in claims 43 and 66).

8. Claims 40, 41, 44, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai (US 6,271,745) in view of Flick (US 6,011,460) as applied to claims 30 and 57 above, and further in view of further in view of Flick (US 5,986,571).

Regarding claims 40, 41, 44, and 67, Anzai and Flick '460 are silent on control unit 1 causing the following: (1) an indication of when the last learning mode was entered (as called for in claim 40); (2) an indication for progressively indicating a passage of time since the learning mode was last entered (as called for in claim 41); and (3) an indication of a change in a learned unique biometric characteristic (as called for in claims 44 and 67).

In an analogous art, as previously explained in claims 11-15, 18-23, and 54-56, Flick '571 teaches a building security system 10 comprising (a) remote transmitters 50 and (b) building security controller 11 (see Fig. 3). Per Flick, building security controller 11 includes a transmitter and receiver 13 for receiving signals from remote transmitter 50 (see Col. 3, lines 46-50) and a central processing unit (CPU) 12 for communicating with building sensor 20, alarm indicators 23, and system indicators 24 (see Figs. 1 and 3; Col. 3, lines 61-67; and Col. 4, lines 39-47). Flick '571 discloses that system indicators 24 include lights, audible tone generators, etc. (see Col. 4, lines 8-10 and Col. 5, lines 21 - 34) and are actuated by CPU 12 for: (1) indicating when the learning mode was last entered (see Col. 5, lines 1-3); (2) progressively indicating a passage of time since the learning mode was last entered (see Col. 5, lines 3-5); and (3) indicating a change in a code of a learned remote transmitter (see Col. 5, lines 51-53).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify control unit 1 of Anzai and Flick '460 as taught by Flick '571 because having a control module 30 that is able to cause the various indications listed above (1) ensures a user that only the coded remote transmitters under his/her control may operate the vehicle security system, (2) prevents unauthorized remote transmitters from being surreptitiously learned by control module 30, and (3) enables a user to determine how recently the learn mode or biometric code change has occurred so that the user is able to correlate the change with someone's ability to access the system (see Flick '571, Col. 5, lines 26-30 and Col. 7, lines 43-47).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Art Unit: 2635

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clara Yang whose telephone number is (571) 272-3062. The examiner can normally be reached on 8:30 AM - 7:00 PM, Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (571) 272-3068. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CY


BRIAN ZIMMERMAN
PRIMARY EXAMINER